

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: F. DI PIERRO

Continuation of Appl. No. 09/781,301 filed  
February 13, 2001

Group Art Unit: 1651

Appl. No.: To be assigned

Filed: Concurrently Herewith

Examiner: M. FLOOD

For: COSMETIC COMPOSITIONS HAVING  
RETARDING ACTION ON THE  
REGROWTH OF SUPERFLUOUS HAIR

Attorney Docket No.: 7914-090

**PRELIMINARY AMENDMENT**

**Box PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please enter the following amendments and remarks into the file of the above-identified application prior to the examination thereof.

**IN THE CLAIMS**

Please cancel claims 16-17 without prejudice.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:

**DI PIERRO**

Appl. No.: 09/781,301

Art Unit: 1651

Filed: February 13, 2001

Examiner: FLOOD, M.

For: **COSMETIC COMPOSITIONS HAVING  
RETARDING ACTION OF THE  
REGROWTH OF SUPERFLUOUS HAIR**


Attorney Docket No: 7914-073

**REQUEST FOR REFUND UNDER 37 CFR § 1.28(a)**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

On March 18, 2002, Applicants filed a Request for Continued Examination ("RCE") with provision for the appropriate fee. The RCE, however, was filed when prosecution of the above-identified application was not closed and the RCE was deemed to be improper. Accordingly, Applicants request a refund in the amount of \$740.00.

Respectfully submitted,

Date April 8, 2002  
For: Paul E. Dietze, Esq.  
Thomas G. RowanReg. No. 45,627  
Reg. No. 34,419**PENNIE & EDMONDS**  
1667 K Street, N.W., Suite 1000  
Washington, D.C. 20006-1605

(202) 496-4400

Enclosure

PENNIE &amp; EDMONDS LLP DOCKET NO. 7914-090

Express Mail No.: \_

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner M. FLOODArt Unit 1651

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/781,301 filed on February 13, 2001.

of Francesco DI PIERRO

(inventor(s) currently of record in prior application)

for COSMETIC COMPOSITIONS HAVING RETARDING ACTION ON THE REGROWTH OF SUPERFLUOUS HAIR

(title of invention)

1. ☒ The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	15	-20	0	\$18.00 each	\$ 0.00
Independent	2	-3	0	\$84.00 each	\$ 0.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
Total					\$ 740.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 740.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 09/781,301, filed February 13, 2001.
- 4a. ☐ New formal drawings are enclosed.

## PENNIE &amp; EDMONDS LLP DOCKET NO. 7914-090

- 4b. ☐ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. MI2000A00068, filed on March 23, 2000, in Italy is claimed under 35 U.S.C. §119.
- 5b. ☒ The certified copy has been filed in prior application no. 09/781,301, filed February 13, 2001.
6. ☒ The prior application is assigned of record to Indena S.p.A., recorded on April 3, 2001 at Reel 011689, Frame 0757.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/781,301, filed February 13, 2001 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instructions.  
a. Preliminary Amendment  
b. Information Disclosure Statement  
c. Form PTO-1449

Respectfully submitted,

Date

April 8, 2002

for

Thomas G. Rowan 34,419

Thomas G. Rowan  
PENNIE & EDMONDS LLP  
1667 K Street, N.W.  
Washington, D.C. 20006

(Reg. No.)